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7  
8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
10

11  
12 **Pocket Socks, Inc.**, a California  
corporation,

13 Plaintiff,

14 v.

15 **Louis Vuitton Malletier**, a foreign  
16 company, **Louis Vuitton North**  
**America, Inc.**, a Delaware corporation,  
17 and **Pharrell Williams**, an individual,

18 Defendant.  
19

Case No. **'24CV1076 JLS AHG**

**COMPLAINT FOR TRADEMARK  
INFRINGEMENT, TRADE DRESS  
INFRINGEMENT AND UNFAIR  
COMPETITION**

**DEMAND FOR JURY TRIAL**

20 For its Complaint, Plaintiff Pocket Socks, Inc. ("Pocket Socks") hereby  
21 alleges as follows:

22 **JURISDICTION AND VENUE**

23 1. This Court has subject matter jurisdiction including under 28 U.S.C. §§  
24 1331 (federal question), 1338(a) (patents) and 1367 because this is a civil action for  
25 patent, trademark and trade dress infringement arising under the federal laws of the  
26 United States.  
27  
28

2. This Court has personal jurisdiction over Defendants because each has committed its unlawful acts alleged herein in California and in this District, and each Defendant regularly conducts business in this District and/or engages in continuous and systematic activities in this District.

3. Venue is proper in this Judicial District under 28 U.S.C. §§ 1391(b)-(c) and 1400(b).

### **PARTIES**

4. Plaintiff Pocket Socks is a California corporation having its principal place of business in Carlsbad, California.

5. Upon information and belief, Defendant Louis Vuitton Malletier (“LVM”) is a foreign business entity organized under the laws of the Republic of France with its principal place of business located at 2, rue du Pont-Neuf in Paris, France 75034. LVM operates boutiques throughout the world, including within this District. LVM is, in part, engaged in the business of manufacturing, marketing, and distributing throughout the world, including within this District, a variety of luxury goods including the accused infringing products. LVM offers for sale and sells its goods in California including within this District, through its boutiques, and online retail website.

6. Upon information and belief, Defendant Louis Vuitton North American, Inc. (“LVNA”) is a Delaware corporation with its principal place of business at 1 East 57th Street, 10th Floor, New York, NY 10022. LVNA operates boutiques throughout the world, including within this District. LVNA is, in part, engaged in the business of marketing and distributing a variety of luxury goods including the accused infringing products. LVNA offers for sale and sells its goods in California including within this District.

7. Upon information and belief, Defendant Pharrell Williams is an individual residing in California who has committed the unlawful acts alleged herein in California and in this District.

## **BACKGROUND FACTS**

8. As outlined on its official website <pocketsocks.com>, Pocket Socks is a distinctive brand originating from an incident involving its founder, Evan Papel. While traveling through Europe, Mr. Papel's money was stolen, prompting him to create ZIP IT GEAR as a travel security solution. In 2012, Mr. Papel reestablished the brand under the name Pocket Socks.

9. Following a significant investment in 2019, the Pocket Socks brand was substantially enhanced and it developed an exclusive line of socks that subsequently garnered national attention by being featured on ABC's *Good Moring America*. See <https://www.youtube.com/watch?v=OWFdlfQFIEM&t=53s> (last visited June 3, 2024). In November 2020, Pocket Socks and its products and brand acquired even more goodwill by partnering with ABC's *The View* and donating over 12,000 meals to <ItsAllAboutTheKids.org>.

10. Pocket Socks has taken consistent steps and actions to protect and police its intellectual property rights, including stopping others from conflicting uses. For example, on August 28, 2012, Pocket Socks was granted U.S. Trademark Registration No. 4,200,363 for POCKET SOCKS, a true and correct copy of which is attached herewith as **Exhibit A**. On October 8, 2013, Pocket Socks was granted U.S. Trademark Registration No. 4,414,045 for POCKET SOCKS, a true and correct copy of which is attached herewith as **Exhibit B**. On May 26, 2020, Pocket Socks was granted U.S. Trademark Registration 6,066,095 for its distinctive trade dress, a true and correct copy of which is attached herewith as **Exhibit C**. On October 4, 2022, Pocket Socks was granted U.S. Design Patent No. D965,284 entitled "Sock With Zippered Pocket" ("the '284 patent"), a true and correct copy of which is attached herewith as **Exhibit D**. Recently, U.S. Trademark Application Serial No. 98061511 for POCKET SOCKS was approved.

11. All of these many years of diligence, effort and expense has been aimed at creating Pocket Socks' distinctive products and brand, principally the POCKET

1 SOCKS name. The Pocket Socks brand continues to grow and expand today, and  
2 will expand into the future.

3 12. Defendants have recently begun to produce, market and sell a product  
4 using the same “Pocket Socks” name and brand, for a similar (although luxury-  
5 priced) product.

6 13. For example, on June 2023, in collaboration with Defendant Pharrell  
7 Williams, Defendants began using, marketing, offering for sale, and selling Louis  
8 Vuitton “Pocket Socks” at Paris Fashion Week, as shown below. *See*  
9 [https://footwearnews.com/fashion/designers/louis-vuitton-pharrell-mens-spring-](https://footwearnews.com/fashion/designers/louis-vuitton-pharrell-mens-spring-summer-2024-collection-1203480505/)  
10 [summer-2024-collection-1203480505/](https://footwearnews.com/fashion/designers/louis-vuitton-pharrell-mens-spring-summer-2024-collection-1203480505/) (last visited June 3, 2024).



12 **Macalatte** @MacNuppet · Jun 23, 2023

13 Cargo **pocket socks** is wild. Who would make such a thing smh.  
14 Anyways where do I buy a set



14. Below is another image of the Louis Vuitton “Pocket Socks.” See [https://www.instagram.com/p/C2HyzW6rn2I/?utm\\_source=ig\\_web\\_button\\_share\\_sheet](https://www.instagram.com/p/C2HyzW6rn2I/?utm_source=ig_web_button_share_sheet) (last visited June 3, 2024).

Instagram

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Damier pattern is subtly knitted into the design of these wardrobe essentials offered in a neutral white colourway to complement virtually any ensemble, whether casual or more dressed up.

A colourful signature accent for the season's silhouettes, here are the new Damier Pop Socks, offered in a duo of mood-lifting hues. Knitted from a comfortable cotton blend, they feature the House's heritage check pattern along with the new 'Louis Vuitton Marque Déposée' trademark, introduced at the Men's Spring-Summer 2024 Show.

#leaguefits #louisvuitton  
#louisvuittonbags #louisvuittonbag  
#louisvuittonaddict #louisvuittonlover  
#lvcommunity #lvworld #leaguefits  
#hvnbeast #saks #fashionblogger



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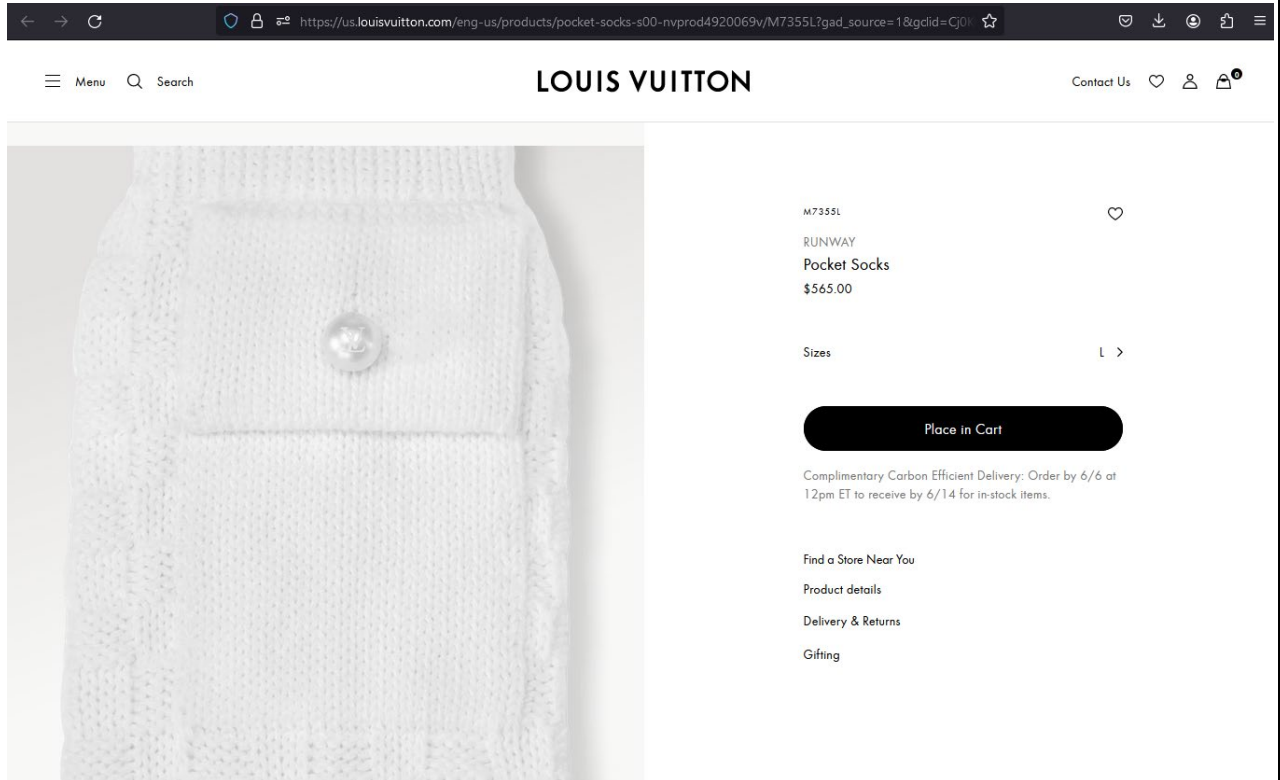
January 15

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15. Defendants advertise and sell their “Pocket Socks” on the Louis Vuitton website (an image of which is below), and the product details state: “The season’s signature Pearl accent, engraved with LV Initials, adorns the Pocket Socks, as stylish pair crafted from pure, comfortable cotton. The heritage Damier pattern is subtly knitted into the design of these wardrobe essentials offered in a neutral white colourway to complement virtually any ensemble, whether casual or more dresses up.” See <https://us.louisvuitton.com/eng-us/products/pocket-socks-s00->

1 nvprod4920069v/M7355L?gad\_source=1&gclid=Cj0KCQjw0\_WyBhDMARIsAL1  
 2 Vz8vt4tTwFh\_13Dy1uZBoXLbYQBX0V8GJ4eLejr7R5JS3KYkkq-  
 3 2Pf5UaAscXEALw\_wcB&gclsrc=aw.ds (last visited June 3, 2024).



17

18 16. Defendants' use of "Pocket Socks" appears in the same font and size as  
 19 in Pocket Socks' U.S. Trademark Registration No. 4,414,045.

20 17. On March 25, 2024, Plaintiff purchased Defendants' product at the  
 21 Louis Vuitton store at 7007 Friar Road, San Diego, CA 92108, a true and correct  
 22 image of which is attached herewith as **Exhibit E**.

23 18. A receipt for an online purchase of Defendants' product—showing the  
 24 "Pocket Socks" name—is attached herewith as **Exhibit F**.

25 19. Recently, much attention and publicity has been generated for Louis  
 26 Vuitton's "Pocket Socks," including Defendants, the press and consumers using the  
 27 name "Pocket Socks" for their product which irreparably injures Pocket Socks'  
 28

1 longstanding brand and trademark rights. Attached herewith as **Exhibit G** are  
 2 examples of this publicity.

3 20. Defendants have been paying to advertise their “Pocket Socks” product  
 4 using Pocket Socks’ trademark as a search term, which further irreparably injures  
 5 Pocket Socks’ longstanding brand and trademark rights. Attached herewith as  
 6 **Exhibit H** is an example of Defendants’ advertising using the trademark at issue.

### 7 **FIRST CLAIM FOR RELIEF**

#### 8 **(Trademark Infringement)**

9 21. Pocket Socks incorporates by this reference all of the allegations stated  
 10 in the above paragraphs.

11 22. Under 15 U.S.C. § 1114(1)(a) and § 1125(a), each Defendant is liable  
 12 for infringement of Pocket Socks’ trademarks, including the word mark POCKET  
 13 SOCKS, because Defendants have, without consent, used in commerce the name  
 14 POCKET SOCKS in connection with the sale, offering for sale, distribution and/or  
 15 advertising of their associated products, which use is likely to cause confusion, or to  
 16 cause mistake, or to deceive consumers of the parties’ similar and competitive  
 17 products.

18 23. On information and belief, each Defendant has engaged in the  
 19 infringing acts with knowledge that such imitation is intended to be used to cause  
 20 confusion, or to cause mistake, or to deceive.

### 21 **SECOND CLAIM FOR RELIEF**

#### 22 **(Trade Dress Infringement)**

23 24. Pocket Socks incorporates by this reference all of the allegations stated  
 24 in the above paragraphs.

25 25. Under 15 U.S.C. § 1114(1)(a) and § 1125(a), each Defendant is liable  
 26 for infringement of Pocket Socks’ trade dress in and to its POCKET SOCKS  
 27 products because Defendants have, without consent, used in commerce a trade dress  
 28 in connection with the sale, offering for sale, distribution and/or advertising of their

1 associated products, which use is likely to cause confusion, or to cause mistake, or  
2 to deceive consumers of the parties' similar and competitive products.

3 26. On information and belief, each Defendant has engaged in the  
4 infringing acts with knowledge that such imitation is intended to be used to cause  
5 confusion, or to cause mistake, or to deceive.

### 6 **THIRD CLAIM FOR RELIEF**

#### 7 **(Unfair Competition)**

8 27. Pocket Socks incorporates by this reference all of the allegations stated  
9 in the above paragraphs.

10 28. By its acts alleged herein, each Defendant has knowingly engaged in  
11 unfair acts or practices and unfair methods of competition, including but not limited  
12 to making misrepresentations about its products, and otherwise engaging in  
13 deceptive trade practices and unlawful, unfair or fraudulent business acts or  
14 practices, in violation of Cal. Bus. & Prof. Code § 17200.

15 29. Each Defendant's unfair competition has resulted in and continues to  
16 result in unjust enrichment, and each has committed its acts of unfair competition  
17 willfully and maliciously to injure Pocket Socks' business and improve its own.

18 30. Pocket Socks also has suffered and continues to suffer irreparable  
19 injury, including damage to customer relationships because of each Defendant's  
20 unfair competition. Such irreparable injury cannot be remedied adequately unless  
21 each Defendant is enjoined immediately from further unfair competition, and  
22 commanded to rectify the status quo ante.

### 23 **PRAYER FOR RELIEF**

24 Therefore, Plaintiff Pocket Socks prays for the following relief:

25 A. A determination that each Defendants has infringed one or more of  
26 Pocket Socks' trademarks;

27 B. A determination that each Defendant has infringed Pocket Socks' trade  
28 dress;

1 C. A determination that each Defendant has engaged in unfair competition  
2 in violation of Cal. Bus. & Prof. Code § 17200;

3 D. An accounting for damages adequate to compensate for Defendants'  
4 unlawful actions and/or unfair competition, including under 15 U.S.C. § 1117(a),  
5 and increased and/or treble damages;

6 E. Equitable relief including a preliminary and permanent injunction  
7 prohibiting further unlawful actions;

8 F. A determination that this is an exceptional case, and an award of costs,  
9 expenses and attorney fees to Pocket Socks;

10 G. Pre-judgment and post-judgment interest on such monetary relief; and

11 H. Such other and further relief as this Court deems just and proper.  
12

13 Respectfully submitted,

14 Dated: June 20, 2024

**SML AVVOCATI P.C.**

15 By: /s/ Stephen M. Lobbin  
16 Attorneys for Plaintiff  
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